

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DOVIE SEARS, et al.)	
)	
COMPLAINANTS)	
V.)	CASE NO. 91-277
)	
SALT RIVER WATER DISTRICT)	
and)	
KENTUCKY TURNPIKE WATER DISTRICT)	
)	
RESPONDENTS)	

O R D E R

This matter arises upon the January 2, 1992 filing by the Complainants in this proceeding of a motion to adopt a procedural schedule and to set a hearing date and to rule on pending motions made by the Complainants to require Respondent, Kentucky Turnpike Water District, to answer data and document requests propounded to it on August 28 and September 26, 1991. In support of the motion, the Complainants state that the parties have met to consider settlement proposals but that resolution in this proceeding cannot be achieved without further discovery and the assignment of a hearing date.

After consideration of the motions to adopt a procedural schedule and set a hearing date, the record in this proceeding and being otherwise sufficiently advised, the Commission finds that these two motions should be granted. The Commission further finds that the Complainants in this proceeding should reissue their

request for documents and data requests pursuant to the schedule outlined below.

IT IS THEREFORE ORDERED that:

1. The Complainants' motions to adopt a procedural schedule and set a hearing date are hereby granted.

2. A formal hearing in this matter shall be held in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, beginning at 10:00 a.m., Eastern Daylight Time, on May 5, 1992 and continuing until completed.

3. Each party may, on or before January 29, 1992, serve upon any other party a request for production of documents and written interrogatories to be answered by the party served within 21 days of service.

4. Each party may, on or before February 26, 1992, serve upon any other party a supplemental request for production of documents and supplemental written interrogatories to be answered by the party served within 14 days of service.

5. Each party may, on or before March 20, 1992, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

6. Each party may, on or before March 30, 1992, serve upon any other party a written request for admission, for purposes of this proceeding only, of the truth of any matters relevant to this proceeding set forth in the request that relate to statements or opinions of fact or of the application of law to fact. The matter is admitted unless within 14 days after service of the request, the party to whom the request is directed serves a written answer

or objection upon the requesting party. The form of the request for admission and the answer or objection thereto shall otherwise be governed by Kentucky Civil Rule 36.

7. Each party shall, no later than April 15, 1992, submit a prehearing memorandum which (a) identifies factual and legal issues to be presented, (b) lists all witnesses in the order in which they will testify on direct examination, (c) lists the qualifications of any expert witnesses, and (d) summarizes each witnesses' expected testimony.

8. Each party shall, no later than April 15, 1992, serve upon all other parties a list and copy of all exhibits which it will introduce at the formal hearing. All exhibits shall be marked for identification.

9. Each party shall, no later than April 22, 1992, file its written objections to any filed exhibit and the legal basis for such objection. Where no objection is made to an exhibit, it shall be entered into evidence.

10. All preliminary motions and objections, other than objections to exhibits, shall be made no later than April 29, 1992.

11. Copies of all documents served upon any party shall be served upon all other parties and 10 copies of such documents shall be filed with the Commission.

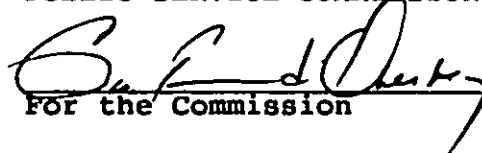
Done at Frankfort, Kentucky, this 14th day of January, 1992.

ATTEST:



Executive Director

PUBLIC SERVICE COMMISSION



For the Commission